

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2020-264-E**  
**DOCKET NO. 2020-265-E**

IN RE: Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's Establishment of Solar Choice Metering Tariffs Pursuant to S.C. Code Ann. Section 58-40-20 (See Docket No. 2019-170-E)	) ) ) ) )	<b>STIPULATION</b>
--	-----------------------	--------------------

---

Joint Applicants, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC (collectively, "Companies") and South Carolina Office of Regulatory Staff (together referred to as the "Parties"), by and through their undersigned counsel, pursuant to S.C. Code Ann. § 1-23-320 (F), S.C. Code Ann. § 58-4-50 (A)(9), hereby stipulate to resolve certain disputes regarding the issues in this proceeding before the South Carolina Public Service Commission ("Commission") as follows:

1. The Companies agree to track and report to ORS the data for net metering customer-generators electing to subscribe to the Companies' Solar Choice Metering interim riders and permanent tariffs published by either of the Companies. The Companies agree to continue to provide:
  - a. The total number of net metering customer-generators to the ORS in the same manner in which it is provided in Docket No. 2005-385-E.
  - b. The estimated gross generating capacity of net metering customer-generators to the ORS in the same manner in which it is provided in Docket No. 2005-385-E.

- c. An estimate of the total energy production of net metering customer generators.<sup>1</sup> The estimation methodology will be consistent with the one used to capture the effect of net metering generation in the Companies' Load Forecast.
2. The Companies also agree to work with ORS and provide to ORS a report indicating the value of the energy produced by net metering customer-generators as determined by the Commission in Docket No. 2019-182-E. The calculations will incorporate the updated value of solar approved in 2019-182-E and any updates to the Companies' avoided costs.
  3. Nothing in this Stipulation is to be interpreted as ORS giving up its right to review and make recommendations regarding the information provided in any future proceedings for the Companies.
  4. The Parties agree this Stipulation is reasonable, in the public interest, and in accordance with law and regulatory policy.
  5. The Parties agree to cooperate in good faith with one another in recommending to the Commission that this Stipulation be accepted and approved by the Commission as a fair, reasonable and full resolution in the above-captioned proceedings. The Parties agree to use reasonable efforts before any reviewing court in the event of an appeal to defend and support any Commission order issued approving this Stipulation and the terms and conditions contained herein; however, ORS shall not utilize social media to defend a Commission order.

---

<sup>1</sup> The Duke Companies can only provide an estimate because not all net metering customers have solar production meters.

6. This written Stipulation contains the complete agreement of the Parties. There are no other terms and conditions to which the Parties have agreed. The Parties agree that this Stipulation will not constrain, inhibit, or impair their arguments or positions held in future proceedings. If the Commission should decline to approve the Stipulation in its entirety, then any Party desiring to do so may withdraw from the Stipulation without penalty.
7. This Stipulation shall be interpreted according to South Carolina law. The above terms and conditions fully represent the agreement of the Parties hereto. Therefore, each Party acknowledges its consent and agreement to this Stipulation by authorizing its counsel to affix his or her signature to this document where indicated below. Counsel's signature represents his or her representation that his or her client has authorized the execution of the agreement. Facsimile signatures and e-mail signatures shall be as effective as original signatures to bind any party. This document may be signed in counterparts with various signature pages combined with the body of the document constituting an original and provable copy of this Stipulation.
8. The Parties represent that the terms of this Stipulation are based upon full and accurate information known as of the date this Stipulation is executed. If, after execution, either Party is made aware of information that conflicts, nullifies, or is otherwise materially different than that information upon which this Stipulation is based, either Party may withdraw from the Stipulation with written notice to the other Party.
9. This Stipulation shall bind and inure to the benefit of each of the signatories hereto and their representatives, predecessors, successors, assigns, agents, shareholders,

officers, directors (in their individual and representative capacities), subsidiaries, affiliates, parent corporations, joint ventures, heirs, executors, administrators, trustees, and attorneys.

**AND IT IS SO STIPULATED** this 2 day of September, 2021.

**WE AGREE TO THIS STIPULATION:**

*Heather Shirley Smith*

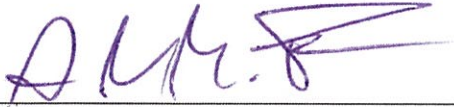
---

Heather Shirley Smith, Esquire  
Duke Energy Corporation  
40 West Broad Street, Suite 690  
Greenville, SC 29601  
(864) 370-5045  
[heather.smith@duke-energy.com](mailto:heather.smith@duke-energy.com)

J. Ashley Cooper, Esquire  
Parker Poe Adams & Bernstein LLP  
200 Meeting Street, Suite 301  
Charleston, SC 29401  
(843) 727-2674  
[ashleycooper@parkerpoe.com](mailto:ashleycooper@parkerpoe.com)

Marion "Will" Middleton, III, Esquire  
Parker Poe Adams & Bernstein LLP  
110 East Court Street, Suite 200  
Greenville, SC 29601  
(864) 577-6374  
[willm Middleton@parkerpoe.com](mailto:willm Middleton@parkerpoe.com)

Attorneys for Duke Energy Carolinas, LLC and Duke Energy Progress, LLC



---

Andrew M. Bateman, Esquire  
Alexander M. Knowles, Esquire  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201  
Phone: (803) 737-8440  
Fax: (803) 737-0801  
E-mail: [abateman@ors.sc.gov](mailto:abateman@ors.sc.gov)  
E-mail: [aknowles@ors.sc.gov](mailto:aknowles@ors.sc.gov)

Attorneys for South Carolina Office of Regulatory Staff